

ATTORNEY DOCKET NO. YMA-002

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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re the application of:

Kikuji YAMASHITA et al.

Serial Number: 09/895,400

Group Art Unit: 1651

Filed: July 2, 2001

Examiner: J. C. Witz

For: ORGANISM-COMPATIBLE MATERIALS WITH COMBINED EXTRA-CELLULAR
MATRICES, EXTRACELLULAR-MATRIX PREPARATIONS, AND PRODUCTION
METHODS

RESPONSE TO RESTRICTION REQUIREMENT DATED OCTOBER 2, 2002

Assistant Commissioner
for Patents
Washington, D.C. 20231

December 30, 2002

Sir:

This paper is submitted in response to the Office Action dated
October 2, 2002.

The Action includes restriction and election of species
requirement. Restriction is required between:

(I) Claims 1-4 and 14-17, directed to an organism-
compatible material, classified in class 424,
subclass 520;

(II) Claims 5-9 and 18-21, directed to a production
method for producing an organism-compatible

- material, classified in class 424, subclass 520;
- (III) Claims 10-11, directed to an extracellular matrix, classified in class 424, subclass 520; and
- (IV) Claims 12-13, directed to a production method for an extracellular matrix, classified in class 424, subclass 520.

Applicants elect the subject matter of group (I), claims 1-4 and 14-17 for prosecution in this application. This election is made without traverse with the understanding that the applicants' rights under 35 U.S.C. §§ 120 and 121 to the filing of a divisional application directed to the non-elected subject matter are retained.

An election of species of the following is also required:

- (A) A base material from claim 2.

Applicants elect a titanium alloy as the species. This election is also made without traverse. All of the elected claims, claims 1-4 and 14-17, read on the elected species.

The foregoing is believed to be a complete and proper response to the Office Action dated October 2, 2002, and is believed to place this application in condition for allowance. If, however,

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minor issues remain that can be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number indicated below.

In the event any fees are required, please also charge our Deposit Account No. 111833.

Respectfully submitted,

KUBOVCIK & KUBOVCIK



Keiko Tanaka Kubovcik
Reg. No. 40,428

Atty. Case No. YMA-002
The Farragut Building
Suite 710
900 17th Street, N.W.
Washington, D.C. 20006
Tel: (202) 887-9023
Fax: (202) 887-9093
KTK/cfm